

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

Courtney Ray Mitchell, #363135,)
)
Plaintiff,)
)
v.)
)
Bryan Stirling, South Carolina DOC;)
Warden Dunlap, Warden of Kershaw;)
and Lavern Cohen, Warden of Ridgeland,)
)
Defendants.)
_____)

C.A. No.: 1:17-cv-2086-PMD-SVH

ORDER

This matter is before the Court on United States Magistrate Judge Shiva V. Hodges' report and recommendation ("R & R") (ECF No. 23). The Magistrate Judge recommends that the Court grant Plaintiff's request to amend his complaint, that Plaintiff be directed to file his amended complaint by December 8, 2017, and that Defendants' motion to dismiss be denied as moot. No party filed objections to the R & R. The Court has reviewed the R & R for clear error and finds none. Accordingly, the Court adopts the R & R as its opinion, grants Plaintiff's request to amend his complaint, and denies Defendants' motion to dismiss as moot.

AND IT IS SO ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

**November 29, 2017
Charleston, South Carolina**